GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Commercial Taxes Department – W.P.No. 37159/2018 filed by Sri K.Prasada Rao, Sri Sompalli Peddiraju, Part Time Sweepers-cum-Night Watchmen, O/o. the AC(ST), Ambajipeta, Sri K.Kanna Rao, Part time Contingent employee, O/o. the AC(ST), Peddapuram Circle, Sri K.Satyanarayana, Part Time Sweeper-cum-Night Watchman, O/o. the AC(ST), Amalapuram and Sri M.Laxmana Rao, Part Time Sweeper-cum-Night Watchman O/o. the AC(ST), Mandapeta – Sanction of minimum wages which is equal to the minimum pay and allowance (i.e., Basic pay + D.A.) only of Class IV regular employees scale – Orders – Issued.

REVENUE (CT.I) DEPARTMENT

G.O.MS.No. 56 Dated: 05-03-2021.
Read the following:

1. Orders of Hon'ble APHC dated 19.11.2018 in W.P.No. 37159/2018.
2. From Sri K.Prasada Rao, Part Time Sweeper-cum-Night Watchman, O/o AC(ST), Ambajipeta, E.G.Dist., dated 20.12.2018.
3. From the Secretary, O/o. CCST, A.P., Vijayawada Lr. In CCST's Ref. REV03/16027/2/2019-CSEC-CCT, dated 19.1.2019.
4. From the CCST, A.P., Vijayawada Lr. No. C1/692/2018, dated 19.09.2019.

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ORDER:

The Hon'ble High Court of Andhra Pradesh and Telangana in W.P.No. 37159/2018 dated 19.11.2018 filed by Sri K.Prasada Rao, Sri Sompalli Peddiraju, Part Time Sweepers-cum-Night Watchmen, O/o. the AC(ST), Ambajipeta, Sri K.Kanna Rao, Part time Contingent employee, O/o. the AC(ST), Peddapuram Circle, Sri K.Satyanarayana, Part Time Sweeper-cum-Night Watchman, O/o the AC(ST), Amalapuram and Sri M.Laxmana Rao, Part Time Sweeper-cum-Night Watchman O/o. the AC(ST), Mandapeta while allowing the Writ Petition has ordered as follows:

"G.O.Ms.No.601, dated 12-12-2017 was issued by the Government in compliance with the order passed in O.A.No.3168 of 2014 which stood confirmed by the dismissal of W.P.No.20900 of 2014. It may be noted that in the said case, the employees were also appointed beyond the cutoff date, 25-11-1993,prescribed under G.O.Ms.No.212, dated 22-04-1994 but despite the same, the Tribunal held them entitled to the minimum of the time scale and the same was confirmed by this Court. We therefore see no grounds to deny the same benefit to the petitioners herein.

The writ petition is accordingly allowed directing the respondent authorities to extend to the petitioners the minimum of the time scale attached to the lowest post in the Last Grade Service in the office of the Commercial Tax Officer, East Godavari district, from the date of filing of O.A.No.1637 of 2018. The arrears of the said benefit shall be remitted to the petitioners within six weeks from the date of receipt of a copy of this order. The respondents shall continue to pay the minimum of the time scale to the petitioners thereafter till their regularization in service, if it comes to pass.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs. "

P.T.O

2. In the reference 2nd read above, Sri K.Prasada Rao, Part Time Sweeper-cum-Night Watchman, O/o the AC(ST), Ambajipeta, E.G.Dist., has requested the Government to implement the orders of the Hon'ble High Court of A.P. and Telangana States.

3. In the references 3rd and 4th read above, the CCST, A.P., Vijayawada has furnished proposals to the Government and requested to take a decision on the orders of the Hon'ble High Court of A.P. and Telangana dated 19.11.2018 in W.P.No.37159/2018 filed by Sri K.Prasada Rao and others to avoid legal complications in the matter.

4. In view of the above and in compliance with the orders of the Hon'ble High Court of Andhra Pradesh and Telangana, the Government after examination of the matter hereby accord sanction of minimum wages which is equal to the minimum pay and allowance (i.e., Basic Pay + D.A. only) of Class IV regular employees scale to Sri K.Prasada Rao, Sri Sompalli Peddiraju, Part Time Sweepers-cum-Night Watchmen, O/o. the AC(ST), Ambajipeta, Sri K.Kanna Rao, Part time Contingent employee, O/o. the AC(ST), Peddapuram Circle, Sri K.Satyanarayana, Part Time Sweeper-cum-Night Watchman, O/o. the AC(ST), Amalapuram and Sri M.Laxmana Rao, Part Time Sweeper-cum-Night Watchman O/o. the AC(ST), Mandapeta, from the date of filing of O.A.No. 1637/2018, subject to the following conditions:

1) The individuals should have been working continuously without break;
2) No other allowances/increments etc., shall be paid
3) Allowing the above minimum wages shall not confer any right on the individuals to claim for regularisation of services

5. The Chief Commissioner of State Tax, A.P., Vijayawada shall take further action accordingly in the matter.

6. This order issues with the concurrence of the Finance Department vide U.O.No. FMUOASD (REV)/53/2019, dated 22.09.2020.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:
The Chief Commissioner of State Tax, A.P., Vijayawada.
Copy to:
The Joint Commissioner of State Tax, Kakinada.
The Accountant General, A.P., Hyderabad.
The District Treasury Officer, East Godavari Dist.
The OSD to Hon'ble Deputy Chief Minister (CT & Excise)
Sf/Sc.

// FORWARDED:: BY ORDER//

SECTION OFFICER